

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

REGINA DRISKILL,)
)
Plaintiff,)
)
v.) No. 3:18-cv-102-JRG-DCP
)
)
REGIONS BANK,)
)
Defendant.)

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is Plaintiff's Counsel's Motion to Withdraw as Counsel [Doc. 53]. The Motion requests that Attorney Katherine A. Young be permitted to withdraw from representing Plaintiff Regina Driskill. As grounds, the motion states that Plaintiff has requested that attorney Young withdraw, and that Plaintiff intends to obtain new counsel.

Pursuant to Local Rule 83.4(g), in order to withdraw from a case, an attorney must do the following:

- (1) File a motion with the Court requesting permission to withdraw as counsel of record;
- (2) Include in the motion the current mailing address and telephone number of the client;
- (3) Unless the motion is signed by both the attorney and the client or a consent to the withdrawal signed by the client is attached to the motion, provide a copy of the motion to the client at least 14 days prior to the date the motion is filed;
- (4) If a hearing date on the motion is set, certify in writing to the Court that the client was served at least 7 days before the hearing with notice (i) of the date, time, and place of hearing and (ii) that the client has a right to appear and be heard on the motion; and

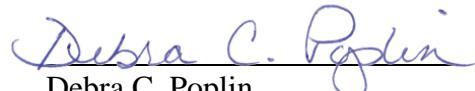
(5) Certify to the Court that the above requirements have been met.

The Court finds that Attorney Young's Motion to Withdraw as Counsel is wholly deficient. The Motion does not include Plaintiff's current address or telephone number. While the Motion states that Attorney Young discussed this matter with Plaintiff, there is no proof that Plaintiff consented to the Motion or that Attorney Young sent a copy of the Motion to the Plaintiff fourteen (14) days before filing. Finally, there is no certification that the requirements of Local Rule 83.4(g) have been met.

Accordingly, because the Motion does not comply with the Local Rule 83.4(g), the Motion to Withdraw as Counsel [Doc. 53] is **DENIED WITHOUT PREJUDICE**.¹ Attorney Young may refile her Motion consistent with the Local Rule of this Court.

IT IS SO ORDERED.

ENTER:



Debra C. Poplin
United States Magistrate Judge

¹ In light of the denial without prejudice of the instant motion, the Court will not consider the request for an extension of deadlines at this time. If the instant motion is refiled in compliance with the Local Rules, and still includes a request for an extension, the Court will take up the issue then.